FLOW CHART AND EXPLANATION OF APPEAL ROUTE OF A NO CAUSE FINDING Complainant must file an objection within 14 days after the date on the cover letter sent with the Final Investigative Report. See ARM 24.9.121 • The objection must be received by 5:00 p.m. at the office of the Human Rights Commission Request for oral argument must be included in the objection or 1st brief If objection filed late Order dismissing objection Charging Party can file a new proceeding in district court Briefing Schedule mailed out by the Human Rights Commission Charging Party's initial brief is due within 5 business days after objection is filed. See ARM 24.9.121(2) Extension request Brief filed late or over ten pages (filed before the brief is due) **Brief filed** Respondent contacted to concur with the request Respondent has an opportunity to object and file a motion to dismiss the brief Commission Chair Approves or disapproves the request The Commission can accept or reject the Order of the Commission's brief decision mailed to the parties Respondent's Response Brief is due within 10 business days after Charging Party's brief is due* See ARM 24.9.121(2) Same guidelines as above apply for late briefs, briefs over ten pages and extension requests *3 mailing days are added to the ten business days. See ARM 24.9.113(2) Charging Party's Reply Brief is due within 10 business days after Respondent's brief is due* See ARM 24.9.121(2) Same guidelines as above apply for late briefs, briefs over ten pages and extension requests *3 mailing days are added to the ten business days. See ARM 24.9.113(2) **Human Rights Commission Meeting** Agenda located at http://erd.dli.mt.gov/humanright/commission.asp

See ARM 24.9.125

Oral Argument

 Both sides get 10 minutes <u>See ARM</u> 24.9-121(3)

No Oral Argument

Appeal considered on briefs filed. See ARM 24.9.121(4)

Order of the Commission's decision mailed out

Charging Party can file a new

proceeding in district court See

Section 49-2-511, MCA

Affirm the Final Investigative Report

Sustain Charging Party's Objection

Remand to the Hearings Bureau for a hearing See Section 49-2-511, MCA

Hearing Decision issued

Appeal to the Human Rights Commission or the Hearing decision stands **See Section** 49-2-505. MCA

• See Hearing Decision Appeal process flow chart

DISCLAIMER: This diagram is presented as a service and is not intended to constitute legal advice or to include every possible situation. Please refer to Title 49 Chapter 2 of the MCA and to 24.9.101 et seq for the statutes and rules that govern appeals.